

Bruce T. Beesley

Honorable Bruce T. Beesley
United States Bankruptcy Judge



Entered on Docket
March 04, 2016

STEPHEN R. HARRIS, ESQ.
Nevada Bar No. 001463
HARRIS LAW PRACTICE LLC
6151 Lakeside Drive, Suite 2100
Reno, Nevada 89511
Telephone: (775) 786-7600
E-Mail: steve@harrislawreno.com
Attorneys for Official Committee
of Unsecured Creditors

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

* * * * *

IN RE:
JOHN DAVIS TRUCKING COMPANY,
INC.,

Debtor.

Case No. 14-51643-BTB
(Chapter 11)

**ORDER CONFIRMING OFFICIAL
COMMITTEE OF UNSECURED
CREDITORS' SECOND AMENDED
PROPOSED PLAN OF ORDERLY
LIQUIDATION, AS AMENDED**

Hearing Date: February 10, 2016
Hearing Time: 2:00 p.m.

_____/

The Official Committee of Unsecured Creditors ("Committee") for JOHN DAVIS TRUCKING COMPANY, INC., a Nevada corporation, Debtor and Debtor-In-Possession herein ("Debtor"), filed an OFFICIAL COMMITTEE OF UNSECURED CREDITORS' SECOND AMENDED PROPOSED PLAN OF LIQUIDATION [Docket No. 257] on December 22, 2015

(the "Plan"), and the Plan came before the Court for a confirmation hearing after notice to all creditors and parties in interest on February 10, 2016, at 2:00 p.m.; and in accordance with the FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF ORDER CONFIRMING OFFICIAL COMMITTEE OF UNSECURED CREDITORS' SECOND AMENDED PROPOSED PLAN OF ORDERLY LIQUIDATION ("Findings") filed concurrently herewith, and as amended in open Court; and good cause appearing;

IT IS HEREBY ORDERED that:

The Plan, as amended in open Court and now incorporated in the FINDINGS OF FACT AND CONCLUSIONS OF LAW IN SUPPORT OF ORDER CONFIRMING OFFICIAL COMMITTEE OF UNSECURED CREDITORS' SECOND AMENDED PROPOSED PLAN OF LIQUIDATION, and lodged concurrently herewith, is **CONFIRMED**.

IT IS FURTHER ORDERED that:

Within 30 calendar days after the date of entry of this Order, or within such additional time that the Court may authorize, the Committee or Liquidating Trust (as this term is defined in the Plan) shall file a motion for entry of an Order in aid of consummation of the Plan to authorize the Liquidating Trust:

- a) To take such actions, if any, and execute such documents, if any, as may be required for the Debtor entity to maintain its corporate entity status with the Nevada Secretary of State, as such status may be necessary for the Liquidating Trust's litigation purposes; and
- b) To pay the reasonable costs of such maintenance.

PREPARED AND SUBMITTED BY:
STEPHEN R. HARRIS, ESQ.
HARRIS LAW PRACTICE LLC

/s/ Stephen R. Harris

Attorneys for Committee

APPROVED BY:
JEFFREY L. HARTMAN, ESQ.
HARTMAN & HARTMAN

/s/ Jeffrey L. Hartman

Attorneys for Debtor

1 APPROVED BY:
2 WILLIAM B. COSSITT, ESQ.
3 OFFICE OF THE U.S. TRUSTEE

4 */s/ William B. Cossitt*

5 _____
6 Attorneys for Tracy Hope Davis

7 APPROVED BY:
8 JOHN MURTHA, ESQ.
9 WOODBURN & WEDGE

10 */s/ John Murtha*

11 _____
12 Attorneys for John Davis and
13 Shane Davis

APPROVED BY
AMY TIRRE, ESQ.
LAW OFFICES OF AMY TIRRE, APC

/s/ Amy Tirre

Attorney for National Railroad Passenger
Corporation

APPROVED BY:
SALLIE ARMSTRONG, ESQ.
DOWNEY BRAND LLP

/s/ Sallie Armstrong

Attorneys for Argonaut Midwest Insurance

CERTIFICATION RE: RULE 9021

In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

☐ The court has waived the requirement set forth in LR 9021(b)(1).

☐ No party appeared at the hearing or filed an objection to the motion.

☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Jeffrey L. Hartman, Esq. Approved/~~Disapproved~~
Attorney for Debtor

William B. Cossitt, Esq. Approved/~~Disapproved~~
Attorney for Tracy Hope Davis

Amy Tirre, Esq. Approved/~~Disapproved~~
Attorney for National Railroad Passenger Corporation

Sallie Armstrong, Esq. Approved/~~Disapproved~~
Attorney for Argonaut Midwest Insurance

John Murtha, Esq. Approved/~~Disapproved~~
Attorney for John Davis and Shane Davis

☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR9014(g), and that no party has objected to the form or content of the order.

Dated this 2nd day of March, 2016.

/s/ Stephen R. Harris

STEPHEN R. HARRIS, ESQ.